

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HAKAN YUCESOIY, et al.,

No. C15-0262 EMC

Plaintiffs,

v.

UBER TECHNOLOGIES, INC., et al.,

Defendants.

**ORDER GRANTING IN PART
DEFENDANTS' MOTION FOR
ADMINISTRATIVE RELIEF TO DEFER
BRIEFING SCHEDULE AND
CONSIDERATION OF PLAINTIFFS'
MOTION FOR PARTIAL SUMMARY
JUDGMENT**

(Docket No. 40)

On March 31, 2015, Plaintiffs filed a motion for partial summary judgment, seeking a determination from this Court that they are Uber's employees as a matter of Massachusetts state law. Docket No. 38. On April 6, 2015, Defendants filed an administrative motion to defer briefing and consideration of Plaintiffs' motion until after a ruling on class certification. Docket No. 40. Alternatively, Defendants argue that consideration of the Plaintiffs' summary judgment motion should be deferred at least until after the initial Case Management Conference (CMC) takes place and Defendants are allowed to obtain discovery from Plaintiffs. *Id.* Plaintiffs filed their opposition to Uber's administrative motion on April 10, 2015, Docket No. 42, and Defendants replied on April 13, 2015. Docket No. 43.

Because the Court finds that Plaintiffs' summary judgment motion is premature at this juncture--at a minimum because discovery in this action has not yet commenced--the Court **GRANTS IN PART** Defendants' motion for administrative relief. The hearing on Plaintiffs'

1 motion for partial summary judgment is vacated. Briefing is suspended on Plaintiffs' motion for
2 summary judgment.

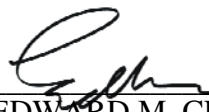
3 Before the Court proceeds on any motion for summary judgment brought by Plaintiffs prior
4 to class certification, Plaintiffs must first request and obtain leave to (re)file such a motion from this
5 Court. Any request for leave to file a summary judgment motion pre-class certification shall
6 address the one-way intervention rule and other applicable precedents. So as to allow the parties
7 sufficient time to conduct discovery relevant to any possible early summary judgment motion, the
8 Court further **ORDERS** that Plaintiffs may not file a motion seeking leave before **September 18,**
9 **2015.**

10 Finally, the parties are **ORDERED** to meet and confer regarding an appropriate discovery
11 plan in this action, and to include details of such a plan in their joint case management statement.
12 The Court will discuss discovery matters at the May 21 case management conference.

13 This Order disposes of Docket No. 40.

14 IT IS SO ORDERED.

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16 Dated: April 13, 2015

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18 EDWARD M. CHEN
19 United States District Judge
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